

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

SHANDLE MARIE RILEY,)	
)	
Plaintiff,)	
)	No. 1:19-cv-00304
vs.)	
)	District Judge Travis R. McDonough
HAMILTON COUNTY GOVERNMENT,)	
DEPUTY DANIEL WILKEY, in his capacity)	Magistrate Judge Christopher H. Steger
as a deputy sheriff for Hamilton County)	
Government and in his individual capacity,)	
and DEPUTY JACOB GOFORTH, in his)	
capacity as a deputy sheriff for Hamilton)	
County Government and in his individual)	
Capacity,)	
)	
Defendants.)	

THIRD REPORT OF HAMILTON COUNTY REGARDING VIDEO DATA

In accordance with the directive of this Court during the hearing of March 31, 2020, and its Order of April 3, 2020 (Doc. 47), Hamilton County files its Third Report Regarding Video Data. The Court's focus, as identified in the Conclusion of the Order, is "whether ESI that should have been preserved in the anticipation or conduct of litigation was lost because Hamilton County failed to take reasonable steps to preserve it." (Doc. 47, PageID #: 426). The following video, having previously been identified as having been preserved, has been reviewed to verify the number of videos contained therein and the collective number of hours of said video footage. In addition, the undersigned has requested an additional search and the Hamilton County Sheriff's Office located additional video footage from Daniel Wilkey's dash camera.

Video Provided to the District Attorney: As indicated in the previous Report, the copy of the hard drive on which the Hamilton County Sheriff's Office ("Sheriff's Office") provided copies of requested videos to the Hamilton County District Attorney General Neal Pinkston contained 575 videos. These 575 videos represent just over 144 hours of video footage.

Video Provided to Internal Affairs: Lt. David Sowder of the Internal Affairs Division of the Sheriff's Office requested copies of all video from Daniel Wilkey's dash camera video, which were provided to him in December of 2019. This request for videos duplicated the same period of time as the videos requested by the District Attorney's Office. The total number of videos provided to Lt. Sowder were 994. The hours of video footage is in the process of being calculated, but the calculation is not yet complete.

Video Provided to the Hamilton County Attorney's Office: The undersigned requested that the Sheriff's Office search for any other dash camera footage from Daniel Wilkey's patrol vehicle. The Sheriff's Office provided 301 videos for the period May of 2018 through September of 2018, comprising over 83 hours of video footage.

Litigation Hold Letter: As required by the Court, as of April 17, 2020, the undersigned counsel sent a Litigation Hold Letter to the Sheriff's Office.

Anticipated by the Next Report:

By the Report due April 29, 2020, all calculations of the number of hours of video footage will be complete. In addition, the comparison of the video footage provided to the Internal Affairs ("IA") department of the Sheriff's to the video footage provided to the District Attorney's Office should be complete to verify that, for time period requested by the District Attorney, the footage is the same.

HAMILTON COUNTY ATTORNEY'S OFFICE

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CERTIFICATE OF SERVICE

I hereby certify that on April 22, 2020, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

s/Sharon M. Milling